

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

DANTZLER, INC.,

Plaintiff,

v.

Civil Action No. 7:13-CV-56 (HL)

**HUBERT MOORE LUMBER COMPANY,
INC., WILBUR STANLEY MOORE,
individually and as guarantor, NORMA
MOORE GASKINS, individually and as
guarantor, JOAN MOORE DRAWDY,
individually and as guarantor, DUPONT
PINE PRODUCTS, LLC,**

Defendants.

ORDER

This case is before the Court on the motion of Joy R. Webster, Trustee in the Chapter 7 Bankruptcy case of Hubert Moore Lumber Company, Inc., to be substituted as the party at interest on behalf of Hubert Moore Lumber Company, Inc. (Doc. 61). The motion is unopposed and accordingly granted.

Hubert Moore Lumber Company, Inc. filed a Voluntary Petition for protection under Chapter 7 of the United States Bankruptcy Code on October 11, 2013. Ms. Webster accepted appointment as the Chapter 7 Trustee on October 28, 2014, thereby assuming the role as the representative of the bankruptcy estate pursuant to 11 U.S.C. § 323. As a result of the appointment, the Trustee now is the real party at interest in any claim or action by or against the estate. 11

U.S.C. § 541(a)(1); see also Park v. Wendy's Int'l, Inc., 365 F.3d 1268 (11th Cir. 2004). The Court therefore finds it appropriate to substitute Joy R. Webster, Trustee, as the real party at interest in these proceedings.

On October 17, 2013, the Court entered an order staying the case as to Hubert Moore Lumber Company, Inc. as required by 11 U.S.C. § 363(a)(1). (Doc. 53). On October 31, 2013, the Court entered a supplementary Order (Doc. 56), staying the case in its entirety until the resolution of the bankruptcy matter. The motion now before the Court indicates that the Bankruptcy Court for the Middle District of Georgia granted relief from the automatic stay on December 17, 2014. Accordingly, this case is ready to proceed. The parties are ordered to confer and to report back to the Court in writing by no later than February 11, 2015, as to how they wish to proceed.

SO ORDERED, this 28th day of January, 2015.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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